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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,625	04/17/2001	Kenichiro Sakai	121.1012	7047

21171 7590 07/25/2006

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WASHINGTON, DC 20005

EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

EV

<b>Office Action Summary</b>	<b>Application No.</b> 09/835,625	<b>Applicant(s)</b> SAKAI ET AL.	
	<b>Examiner</b> Jamara A. Franklin	<b>Art Unit</b> 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6,9-11,14,15 and 18-20 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 7, 8, 12, 13, 16, and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

Acknowledgment is made of the amendment filed on 6/01/06. Claims 1-20 are currently pending.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 5, 6, 9-11, 14, 15, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakajima et al. (US 6,325,287) (hereinafter referred to as 'Nakajima').

Nakajima teaches a two-dimensional code extraction method, a computer-readable medium storing a program which, when executed by a computer, causes the computer to execute a two-dimensional code extraction method, and an apparatus extracting two-dimensional code from an input document comprising:

inputting image data (col. 8, lines 43-45);

scanning said input image data in a square block unit of MxN pixels (M and N are positive integers) (see figures 9-11);

detecting blocks that satisfy specific conditions from said scanned blocks (col. 8, line 63- col. 9, line 7);

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detecting a plurality of block regions corresponding to a respective plurality of two-dimensional codes, each block region comprising a number of neighboring and contiguous blocks from among said detected blocks that satisfy specific conditions from said scanned blocks (col. 9, lines 8-63);

detecting one or more two-dimensional code regions, each containing a corresponding detected block region comprising a predetermined number of the neighboring and contiguous blocks as a two-dimensional code (col. 9, lines 61-63); and

extracting one or more two dimensional codes from among the detected plurality of two-dimensional code regions that have more than a predetermined number of the neighboring and contiguous blocks (col. 9, line 61-col. 10, line 10);

the two-dimensional code extraction method and computer-readable medium further comprising:

detecting a two-dimensional code region comprising a maximum number of detected neighboring and contiguous blocks from among the detected two-dimensional code regions (col. 9, lines 61-63);

the two-dimensional code extraction method and computer-readable medium wherein the detecting the two-dimensional code regions further comprises:

scanning a detected block region from a point within said block region block by block having a predetermined size upward, downward, to the right and to the left of said point;

detecting a position such that a number of black pixels with said scanned block is less than a predetermined value; and

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extracting a square area including said detected position as the two-dimensional code region that contains a block region, for each of the plurality of detected block regions; and the two-dimensional code extraction method and computer-readable medium further comprising:

detecting a two-dimensional code region comprising a maximum number of detected contiguous blocks from among the detected two-dimensional code regions (col. 9, lines 61-63).

***Allowable Subject Matter***

3. Claims 3, 4, 7, 8, 12, 13, 16, and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 3 and 12, the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, a block that included a ratio between transition points of pixels within horizontal or vertical lines of block and a total number of pixels of the block that falls within a specific range is detected as a block satisfying said specific conditions. Furthermore, no motivation has been found to combine a reference teaching the aforementioned element to arrive at the claimed invention;

Regarding claims 4 and 13, the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, a block in which variation of a vertical or horizontal projection of black pixels included in each line in the block falls within a specific range is detected as a

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block satisfying said specific conditions. Furthermore, no motivation has been found to combine a reference teaching the aforementioned element to arrive at the claimed invention;

Regarding claims 7 and 16, the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, the method of calculating average distance between pairs of black pixels within the scanned blocks and extracting a scanned block as a detected block satisfying the specific conditions, when a determination is made that the calculated average distance exceeds a predetermined value. Furthermore, no motivation has been found to combine a reference teaching the aforementioned element to arrive at the claimed invention; and

Regarding claims 8 and 17, the prior art of record fails to teach, or fairly suggest either alone or in combination thereof, the method of determine an angle of inclination of a detected two-dimensional code region; and correcting the angle of inclination, if the angle of inclination exceeds a specific value. Furthermore, no motivation has been found to combine a reference teaching the aforementioned element to arrive at the claimed invention.

### ***Response to Arguments***

5. Applicant's arguments filed 6/01/06 with respect to the rejection(s) of the newly amended claim(s) 1-20 under 35 USC 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nakajima.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

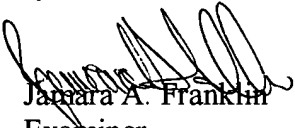
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

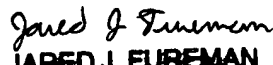
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jannara A. Franklin  
Examiner  
Art Unit 2876

JAF  
July 17, 2006



JARED J. FUREMAN  
PRIMARY EXAMINER